

Attorney's Docket No.: 007733.P012

Patent

First Named Inventor: Peter Stephen Cross

Check One:

☐ Declaration Submitted with  
Initial Filing OR  
☒ Declaration Submitted After  
Initial Filing (Surcharge under  
37 C.F.R. § 1.16(e) Required)

Complete If Known:

Application No.: 10/592,965  
Filing Date: September 12, 2006  
Art Unit: Not Yet Assigned  
Examiner Name: Not Yet Assigned

**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION**

I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventors named below to be the original and first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

SAMPLING SINGLE PHASE FROM MULTIPHASE FLUID

(Title of the Invention)

the specification of which

☐ is attached hereto  
☒ was filed on (MM/DD/YYYY) 09/12/2006 as  
as United States Application Number 10/592,965  
or PCT International Application Number \_\_\_\_\_  
and was amended on (MM/DD/YYYY) \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment specifically referred to above.

I do not know and do not believe that the claimed invention was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof or more than one year prior to this application. I do not know and do not believe that the claimed invention was in public use or on sale in the United States of America more than one year prior to this application, nor do I know or believe that the invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months (for a utility patent application) or six months (for a design patent application) prior to this application.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

| Prior Foreign Application(s) |             |                                    | Priority Claimed?                   |                          | Certified Copy Attached? |                                     |
|------------------------------|-------------|------------------------------------|-------------------------------------|--------------------------|--------------------------|-------------------------------------|
| (Number)                     | (Country)   | (Foreign Filing Date - MM/DD/YYYY) | Yes                                 | No                       | Yes                      | No                                  |
| PCT/NZ2005/000058            | New Zealand | 03/29/2005                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 531794                       | New Zealand | 03/25/2004                         | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|                              |             |                                    | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/>            |

#### Appointment of Patent Practitioners:

I hereby appoint the patent practitioners associated with the Customer Number **08791** as my respective patent attorneys and patent agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith.

If this patent application is assigned, then the undersigned hereby authorizes the patent attorneys and patent agents named herein to accept and follow instructions from the assignee(s) as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the patent attorneys and patent agents and the undersigned. In the event of a change in the persons from whom instructions may be taken, at least one patent attorney or patent agent named herein will be so notified by the undersigned.

Direct all correspondence to (check one):

☒ Customer Number **08791** OR

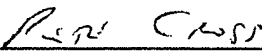
☐ Correspondence Address Below:

Stephen M. De Klerk  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
12400 Wilshire Boulevard  
Seventh Floor  
Los Angeles, California 90025  
Telephone: (408) 720-8300  
Fax: (408) 720-8383

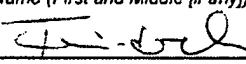
[Please note: New applications go to our Sunnyvale address]

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

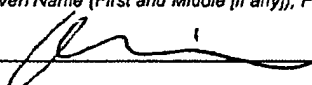
NAME OF SOLE OR FIRST INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Peter Stephen CROSS  
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))  
Inventor's Signature  Date 29 Nov 06  
Residence Hamilton, New Zealand Citizenship New Zealand  
(City, State and/or Country) (Country)  
Mailing Address 14 Brookfield Street  
Hamilton, New Zealand

NAME OF SECOND INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Thomas FRIETSCH  
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))  
Inventor's Signature  Date 29 Nov 06  
Residence Hamilton, New Zealand Citizenship Germany  
(City, State and/or Country) (Country)  
Mailing Address 25 Brookfield Street  
Hamilton, New Zealand

NAME OF THIRD INVENTOR: ☐ A petition has been filed for this unsigned inventor

Full Name: Allan Walter WILSON  
(Given Name (First and Middle (if any)), Family Name (or Surname), and Suffix (if any))  
Inventor's Signature  Date 1 Dec 06  
Residence Hamilton, New Zealand Citizenship New Zealand  
(City, State and/or Country) (Country)  
Mailing Address 377 Rotokauri Road, RD 9  
Hamilton, New Zealand